

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

RAMON VILLANUEVA-BAZALDUA
individually and on behalf of others similarly
situated,

Plaintiff

CA 1:06-cv-00185-GMS

Class Action

v

TRUGREEN LIMITED PARTNERS and
TRUGREEN, INC.

Defendants

**UNOPPOSED MOTION FOR LEAVE TO FILE BRIEF IN EXCESS OF TWENTY
PAGES**

Now comes Plaintiff Ramon Villanueva, through his undersigned attorneys, and moves this Court to accept Plaintiff's Reply Brief in Support of Motion for Class Certification in its entirety despite the fact that it exceeds the twenty-page limit as set by Rule 7.1 3(d) of the Local Rules of Civil Practice and Procedure of the United States District Court for the District of Delaware.

While some of the issues raised, particularly regarding RICO, require more discussion than usual, Plaintiff is compelled to exceed the twenty-page limit to adequately respond to new issues raised by Defendants. Specifically, Defendants' Opposition to Class Certification contained approximately fourteen pages relating to jurisdictional issues that were not covered by Plaintiff's original Motion for Class Certification therefore Plaintiff requires the additional

twenty-three (23) pages to properly respond. Defendants do not oppose this request for additional pages, *see* D.I. 80. In fact, Defendants requested the right to file a sur-reply brief based on the fact that Plaintiff had requested additional pages for his reply brief. *See* D.I. 80 (motion granted by Order of December 4, 2007)

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ORDER

The Court having considered Plaintiff's unopposed motion for leave to file a reply brief in support of class certification in excess of twenty pages, as well as the arguments of counsel and the record in this case is of the opinion that the motion should be granted. It is, therefore,

ORDERED THIS _____ day of _____, 2007 that Plaintiff's Motion for Leave to File Brief in Excess of Twenty Pages be GRANTED and the Court accepts for filing Plaintiff's Reply Brief in Support of Class certification previously submitted to the Court as D.I. 79 (Nov. 20, 2007) although it exceeds the page limit set by local rules by 23 pages.

GREGORY M. SLEET
UNITED STATES DISTRICT JUDGE

CETIFICATE OF SERVICE

I, Vivian L. Rapposelli, Esquire, hereby certify that on December 17, 2007, I caused electronic copies of the foregoing PLAINTIFF'S MOTION FOR LEAVE TO FILE BRIEF IN EXCESS OF TWENTY PAGES to be served via the Court's CM/ECF system to counsel for the defense:

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